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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Victor Brantl

Serial No: 10/618,148

Filed: July 10, 2003

For: USE OF RIBOFURANOSE  
DERIVATIVES AGAINST  
INFLAMMATORY BOWEL  
DISEASES



Art Unit: 1623

Examiner: Khare, Devesh

**TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION (37 C.F.R.  
§ 1.321(c))**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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P.O. Box 1450  
Alexandria, VA 22313-1450, on

November 22, 2004

Date of Deposit

Wei-Ning Yang, Reg. No. 38,690

Name

Signature Date 11/22/2004

Dear Sir:

**IDENTIFICATION OF PERSON MAKING THIS DISCLAIMER**

I, Wei-Ning Yang, represent that I am

☐ an applicant

☐ an assignee

XX a representative authorized to sign on behalf of the assignee identified below owning all of the interest in this application.

The assignee is:

Name of assignee

RIBAPHARM PHARMACEUTICALS

Address of assignee

3300 Hyland Avenue, Costa Mesa, California  
92626

Title of disclaimant  
authorized to sign on  
behalf of assignee

Attorney for Applicant/Patent Owner

**RECORDAL OF ASSIGNMENT IN PATENT OFFICE**

- ☐ The assignment was recorded on \_\_\_\_\_ at  
Reel No.  
Frame No(s).
- XX authorization for recordal of the assignment is to follow

**EXTENT OF INTEREST**

The extent of my (our) interest is in

- XX the whole of this invention
- ☐ a sectional interest in this invention as follows:

**DISCLAIMER**

RIBAPHARM PHARMACEUTICALS hereby disclaims the terminal part of a patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of:

- XX United States Patent No. 6,573,248 and 6,455,508 as presently shortened by any terminal disclaimer
- ☐ any patent granted on Application Serial No. \_\_\_\_\_

and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

- XX United States Patent No. 6,573,248 and 6,455,508.
- ☐ any patent granted on Application Serial No. \_\_\_\_\_

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

RIBAPHARM PHARMACEUTICALS does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

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in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

#### FEE STATUS

(37 C.F.R. § 1.20(d))

XX Other than small entity

☐ Small entity

☐ verified statement attached

☐ verified statement filed \_\_\_\_\_

#### FEE PAYMENT

☐ Attached is a check in the sum of \$\_\_\_\_\_.

☐ If it should be determined that for any reason either an insufficient fee or an excessive fee has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. A copy of this petition is enclosed.

XX Charge Account No. 50-1314 the sum of \$110.00. A duplicate of this disclaimer is attached.

Undersigned further declares that the evidentiary documents establishing ownership by the assignee have been reviewed and certifies that to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Undersigned further declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: November 22, 2004

By: 

Wei-Ning Yang  
Reg. No. 38,690

Attorney for Applicant and Assignee

HOGAN & HARTSON L.L.P.  
Biltmore Tower  
500 South Grand Avenue, Suite 1900  
Los Angeles, CA 90071  
Telephone: (213) 337-6700  
Facsimile: (213) 337-6701

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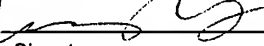
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